Kwiyagatu Community Academy

Non -Discriminatory Student Recruitment and Enrollment* (adopted from Mountain Middle School with permission)

Kwiyagatu Community Academy (KCA) encourages all students to enroll and all who enroll will have an equal chance of gaining a seat in our lottery. Student recruitment and enrollment decisions shall be made in a nondiscriminatory manner as outlined in Tribal law and similar to **C.R.S. § 22-30.5-507(3)**. In all cases, student recruitment and enrollment decisions shall be without regard to race, color, creed, national origin, sex, religion, ancestry, sexual orientation, disability or need for special education services.

Enrollment Preferences. Enrollment preferences will be given to the following students:

1. Children of staff members after registering in our annual lottery (Staff members are defined as any individual that is employed full time or part time at Kwiyagatu Community Academy. Staff are eligible for enrollment preference for children based on availability);
2. Siblings of students already enrolled or have been enrolled will be given preference according to space availability after registering in our annual lottery;

Selection Method. When the number of applicants exceeds the number of spaces available, students will be selected by a random lottery, taking into consideration the enrollment preferences described above. If additional spaces become available after the initial selection, students will be offered enrollment based on their order on the waiting list. Any spaces available after all students on the waiting list have been offered enrollment will be filled on a first-come, first-served basis. Waiting lists are not carried over from year to year: students on the waiting list who are not offered enrollment and wish to be considered for enrollment the following year must enroll the next year.

Enrollment Timeline and Procedures. KCA enrollment timeline and procedures are subject to the following conditions:

A. Prior to enrollment, parents and students will be encouraged to attend an informational session to fully understand the school values, methodology, curriculum and expectations.

B. Kwiyagatu Community Academy will begin publicizing the enrollment dates at least two months prior to the date of the lottery.

C. The Lottery will be held on the second Wednesday of April. (In years when Spring Break falls during said Lottery, that date will be moved exactly one week earlier.)

D. Based on space availability, the KCA will continue to accept students from its waiting list and, once the wait list is exhausted, on a first-come-first-served basis up until fully enrolled. The School may accept students after October 1 upon available space.

Enrollment Procedures for Students with Disabilities

For all students, the KCA reserves the right to review each student's educational records and ensure the student is eligible for enrollment pursuant to state and federal law. KCA may deny enrollment to a

student with disabilities seeking admission in a charter school in the same manner and for the same reasons the school may deny admission to a student without disabilities, including that the student's admission would require alterations in the structure of the facility used by the school or alterations to the arrangement or function of rooms within the facility, beyond those required by state or federal law.

To ensure that the needs of students with disabilities are met, the following procedures must be followed:

1. Following the application deadline and upon completing the lottery (if appropriate), KCA shall require that the student provide the most recent IEP (including eligibility IEP) or Section 504 Plan, if any.

2. A screening review team consisting of the School Principal or designee, the School Special Education teacher or coordinator, and the Charter School Institute Special Education Director or designee shall review the IEP and determine whether a free appropriate public education ("FAPE") is available for the student. If the screening team finds the application requests a significant change of placement or raises other concerns about the student's ability to access FAPE, the School shall convene a complete IEP team to make the final determination.

   NOTE: A student's application is a request for a significant change of placement when:
   - a student with disabilities who has been served in a center-based program (or who otherwise has intensive IEP service needs) applies for admission into an Institute charter school that does not currently offer those services; or
   - a student currently enrolled i in an ONLINE program applies for enrollment in a "brick and mortar school"

3. If the screening review team refers the student's application to an IEP team, KCA shall convene an IEP Team meeting that shall include the Institute Director of Special Education or designee. In addition, the IEP team must include the following people: not less than one regular education teacher; not less than one special education teacher, or where appropriate, not less than one special education provider; and, an individual who can interpret the instructional implications of evaluation results, and a language interpreter, when necessary. The student's parents and legal guardian must be afforded the opportunity to participate, as must the student when appropriate.

   NOTE: If the student's application requests a significant change of placement, the Special Education Director of the student's administrative unit of residence (San Juan BOCES) must be invited to the IEP meeting. Also, most Institute contracts require the School to invite representatives from the student's prior school to participate in the IEP Team meeting at the charter school.

4. The IEP team must review all available information, including the student's application, records, current data, data from the IEP, information provided by the parents, and/or data from the assessment team, to determine whether the student can receive FAPE if granted enrollment, as requested by the student's application.

   NOTE: If the application requests a significant change of placement, the IEP team must first consider the need for reevaluation by reviewing the listed information and determining whether

additional information is necessary to determine the student's eligibility for special education, the student's educational needs, and any necessary additions or modifications to the special education and related services. If the team (including a request by the parent), determines that additional evaluative information is necessary, the Institute shall reevaluate the student in accordance with the IDEA and ECEA rules.

5. It KCA's intent to serve every student possible and will make every possible attempt to ensure all students get access to the highest quality education. In extremely rare cases it may be determined that a student will not be able to receive FAPE while attending KCA. If the IEP team determines the student will not be able to receive FAPE, then the IEP team will deny the student's application for admission to the school and refer the student to the Institute Director of Special Education or designee. The Institute Director of Special Education or designee will confer with the student and family regarding placement opportunities available in Institute schools and assist the family in making proper application(s). If the student's application for admission is denied, the student's current placement shall remain as determined by the prior IEP.

6. If the student is admitted, the student shall be placed directly in a program that meets the requirements of the student's existing IEP or Section 504 Plan, unless and until the School convenes an IEP meeting or 504 meeting is held and the IEP or Section 504 Plan is changed.